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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No.3676 of 2007

Petitioner : R.P. Tiwari, S/o Late Shri Ramkhilawan, Tiwari, aged about 60 years, R/o Qt. No.59 , Mohan Nagar, Durg, District Durg (C.G.)

Versus

Respondents

1. State of Chhattisgarh Through - Secretary Department of Higher Education, Raipur - (C.G.)
2. Commissioner, Directorate of Higher Education Raipur (C.G.)
3. Principal, Seth Ratan Chand Surana Arts and Commerce College, Durg (C.G.)

(Writ Petition under Article 226/227 of the Constitution of India)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Shri Manish Upadhyay, counsel for the petitioner.
Smt. Anju Ahuja, Dy. Govt. Advocate for the State.

ORDER
(Passed on 29th June, 2007)

The petitioner by order dated 06.03.1884 (Annexure P - 4) was appointed as Physical Training Instructor by the respondent - College. Thereafter, he was designated as Sports Officer. Learned counsel for the petitioner further submits that the case of the petitioner is squarely covered by the judgment and order dated 05.11.2003 (Annexure P - 5) passed by this in W.P. No.1116/2003 **(Appa Rao Thite Vs. State of Chhattisgarh & others)**, wherein it is stated that the Sports Officer comes within the definition of 'teacher' and as such they are entitled to continue up to the age of 62 years in service.

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2. A Division Bench of this Court by order dated 20.06.2003 passed in W.P No.1807/2002 **(State of Chhattisgarh & others Vs. Murlidhar Singh)** has held similarily, as aforementioned.

3. Learned counsel for the respondents does not dispute the above facts.

4. Thus, this petition is disposed of in the same terms as has been held in aforestated case, subject to verification of the facts.

Sd/-
Satish K. Agnihotri
Judge

Indu